

DAVID BURCHARD  
CHAPTER 13 TRUSTEE  
P.O. BOX 8059  
FOSTER CITY, CA 94404  
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**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SANTA ROSA DIVISION**

In re:

JEFFREY JUSTIN TENNISON and  
MICHELLE LYNNE EBDON-TENNISON  
19359 COYLE SPRINGS RD  
HIDDEN VALLEY LAKE, CA 95467

###-##-1033 ###-##-4363  
Debtor(s).

Case No.: 10-1-1824AJ13  
Chapter 13

***FIRST AMENDED*** NOTICE BY DAVID  
BURCHARD, CHAPTER 13 TRUSTEE, OF  
CHAPTER 13 PLAN DEFICIENCIES

**CONFIRMATION HEARING:**

Date: 08/23/2010  
Time: 1:30 PM  
Place: United States Bankruptcy Court  
99 South E Street  
Santa Rosa, CA 95404

DAVID BURCHARD, Chapter 13 Trustee in the above-entitled action, cannot recommend Confirmation of the Chapter 13 Plan proposed hereunder by Debtor(s) for the following reason(s).

1. The debtors' amended plan is not proposed in good faith, and therefore, not confirmable, given that it only provides for payment of attorney's fees and seeks to avoid the lien of a secured creditor. The Trustee believes that this case is essentially a disguised Chapter 7 filing and that this plan should not be confirmed.
2. The Trustee is in receipt of payment advices that appear incomplete. The Trustee requests that debtors' counsel provide payment advices received in November through December 2009, or, in the alternative, a filed debtors' declaration that details why these advices cannot be provided.
3. It appears the address for Napa Cofsd is incorrect as mail forwarded to this creditor was returned. The Trustee requests that debtors' counsel amend the plan and provide the correct address.
4. Section 11 of the plan indicates the liens held on real property by Safe-Bidco and Wells Fargo Bank shall be voided. The Trustee requests that debtors' Motions to Avoid Lien are filed and resolved prior to confirmation.

PLEASE TAKE NOTICE that, without prior notice, at the above-referenced confirmation hearing date assigned to your Chapter 13 case, the Court may DISMISS the above-referenced case upon making a determination that Debtor(s) has/have not presented a feasible Plan, Debtor(s) has/have not made the required payments under the Plan, Debtor(s) has/have violated the statutory debt limitations set for a Chapter 13 case, Debtor(s) has/have not filed this proceeding in good faith, Debtor(s) has/have not provided documents and/or Schedules and Plan as required under the Bankruptcy code, and/or Debtor(s) has/have not provided the Trustee with Payment Advices or Declarations.

Dated: August 11, 2010

DAVID BURCHARD

DAVID BURCHARD, Chapter 13 Trustee

### Certificate of Mailing

I, WENDY KARNES, the undersigned, certify that:

I am over the age of 18 years and not a party to this action. I am employed by the Trustee whose business address is 393 Vintage Park Drive, Suite #150, Foster City, CA. On the date set forth below, I served a copy of the NOTICE BY DAVID BURCHARD, CHAPTER 13 TRUSTEE, OF CHAPTER 13 PLAN DEFICIENCIES, and this Certificate of Mailing, on the persons listed below by following our ordinary business practice for service, which is either deposited in the ordinary course of business with the U.S. Postal Service by first class mail or served by electronic transmission from the Court, if applicable. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

JEFFREY JUSTIN TENNISON and MICHELLE  
LYNNE EBDON-TENNISON  
19359 COYLE SPRINGS RD  
HIDDEN VALLEY LAKE, CA 95467

EVAN LIVINGSTONE  
740 4TH ST #215  
SANTA ROSA, CA 95404

United States Trustee  
235 Pine Street, Suite 700  
San Francisco, CA 94104

Dated: August 11, 2010

WENDY KARNES

WENDY KARNES